

DECLARATION AND POWER OF ATTORNEY

DECLARATION

As the below-named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated next to our names.

We believe we are the original, first and only inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**1 α -Hydroxyvitamin D₃, Its Synthesis and
Use in Cancer Prevention and Therapy**

the specification of which is attached hereto.

We hereby state that we have reviewed and understand the content of the above-identified specification, including the claims and any amendments thereto.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, section 119, of any foreign applications for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications

Priority Claimed

(none)

We hereby claim the benefit under Title 35, United States Code, section 120 of any United States application listed below, and insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

App. Serial No.	Filing Date	Status
60/039,106	02/25/97	Provisional

09008957-012098

POWER OF ATTORNEY

As named inventors, we hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Harold J. Fassnacht, Reg. No. 35,507
George E. Bullwinkel, Reg. No. 24,585
BULLWINKEL PARTNERS, LTD.
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FIRST INVENTOR:

Full Name: Robert M. Moriarty

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SECOND INVENTOR:

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Post Office
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THIRD INVENTOR:

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FOURTH INVENTOR:

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FIFTH INVENTOR:

Full Name: Rajendra G. Mehta
Residence
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Orland Park, IL 60462
Citizen of: U.S.A.
Post Office
address: Same as above.

DECLARATION: We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Robert M. Morant
(Signature of Inventor)
1/11/98
(Date)

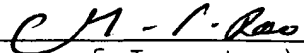
Rajendra G. Mehta
(Signature of Inventor)
1/10/98
(Date)



(Signature of Inventor)

1/12/98

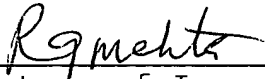
(Date)



(Signature of Inventor)

1/12/98

(Date)



(Signature of Inventor)

1/12/98

(Date)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF:)
Robert M. Moriarty)
Raju A. Penmasta)
Liang Guo)
Munagala S. Rao)
Rajendra G. Mehta)
SERIAL NO.:)
FILED:)
FOR: 1 α -HYDROXYVITAMIN D₅, ITS)
SYNTHESIS AND USE IN CANCER)
PREVENTION AND THERAPY)

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b)) -- INDEPENDENT INVENTORS**

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

As below named inventors, we hereby declare that we qualify as independent inventors as defined in 37 C.F.R. Section 1.9(c) for the purposes of paying reduced fees to the Patent and Trademark Office regarding the invention titled 1 α -HYDROXYVITAMIN D₅, ITS SYNTHESIS AND USE IN CANCER PREVENTION AND THERAPY described in the specification filed herewith.

We have not assigned, granted, conveyed or licensed and are under no obligation under contract law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 C.F.R. Section 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. Section 1.9(d) or a nonprofit organization under 37 C.F.R. Section 1.9(e).

Each person, concern, or organization to which we have assigned, granted, conveyed or licensed or are under obligation under contract or law to assign, grant, convey or license any rights in the invention is listed below:

Steroids, Ltd.

We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of

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entitlement to small entity status prior to paying or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

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Signature of Inventor: *Robert M. Moriarty*
Date: 1/11/98

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Signature of Inventor: *Raju A. Penmasta*
Date: 1/12/98

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* * * * *

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